

Name of khatedar or owner	Survey No. or M. No.	Whether dry, wet or garden, etc.	Total extent		Kharab	Remaining extent	Assessment	Extent now required		Boundaries			
			A. g.	A. g.				Extent	Assessment	East	West	North	South
Yaraguntappa	12	Wet	1 19	0 21		0 38	Rs. a. 0 10	0 38	0 1	11	35	35	12
Gundappa	35	Do	2 10	0 11		1 24	5 3	0 4	0 5	12	36	42-35	35
Neelamma, Doddanna janty	37	Garden	2 19	0 9		0 15	1 13			Voni	38	40	37
Giriyaappa, Muddagiriyaappa	40	Do	3 85	0 5		3 80	24 0	0 34	0 7	36	39	40	37-38
Neelamma, Doddanna janti	88	Bagayet...	4 24	0 6		1 21	8 3						
		Dry				0 5	0 1						
		Wet				2 32	10 12	0 9	0 10	37	Kodihalla	39-40	38
Brahmadaya Inam Doddappa bin	39	Do	2 7			2 7	8 0	0 8	0 1	40	Do	39, 106	38
Muddappa													
Marugappa	108-1	Dry	6 17	0 18		5 38	1 12	1 04	0 6	Kodihalla	115	107	108
Badami Venkataravanappa	115-4	Garden	4 2	0 9		2 32	13 12	0 16	0 1	103	114	115	115
		Dry				1 1	0 4						
Yaraguntappa	114	Do	11 14	0 12		11 2	2 12	0 36	0 4	115	British border	114	114
Thimma bin Thimma	118	Do	1 10	0 1		1 9	0 4	0 5	0 1	113	Do	114	Madakasira Amarapura Road.

7742

K. D. JOSHI, P. W. Secy.

## GENERAL SECRETARIAT

Dated, 3rd April 1945.

**No. S. K. 3775—L. W. 82-44-6.** Under Section 12 (4) of the Mysore Labour Act XIII of 1942, as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to publish for general information, the accompanying report of the Chief Conciliator in Mysore in the matter of the failure of the Conciliation Proceedings in the dispute between the Labour Associations and the management of the Sri Krishnarajendra Mills Ltd., regarding the dismissal of Channabasaviah, a worker of the Mills.

7945

MAHOMED ISMAIL SHERIFF, *Genl. Secy.*

OFFICE OF THE CHIEF CONCILIATOR,  
IN MYSORE,

No. C. C. 21/44-45

*Camp Mysore, dated the 26th March 1945.*

FROM

M. Navaneetham Naidu, Esq., B.A., B.L.,  
Chief Conciliator in Mysore.

TO

Mahomad Ismail Sheriff, Esq., B.A.,  
Secretary to the Government of His  
Highness the Maharaja of Mysore,  
General Department, Bangalore.

SIR,

I have the honour to make the following report, under Section 12 (4) of the Mysore Labour Act, relating to a dispute between Sri Krishnarajendra Mills Labour Association, Mysore, and the concerned Mills, in regard to the case of dismissal of the worker, Channabasaviah (Spinning Ticket No. 192).

The Secretary of this Labour Association gave to the General Manager of the said Mills, a notice of change on 5th December 1944, setting forth the following four demands:—

1. That the case of dismissal of the worker Channabasaviah (Spinning Ticket No. 192) is one of victimisation and wrongful dismissal, coming under Section 24 (1) (a) of the Labour Act and that he should be reinstated.

2. That 30 days sick leave per annum with pay may be granted to all the workers.

3. (a) That free distribution of bread and coffee for all workers working between 6 P.M. and 4 A.M. may be made.

(b) That night-shift allowance of two annas per day may be granted to all the workers working between 6 P.M. and 4 A.M.

4. That a committee may be set up to enquire and report about the misconduct of any worker before he is dismissed from service.

The General Manager of the Mills, in reply to the notice, stated that the Management cannot agree to any of these demands. As the Assistant Commissioner of Labour was not able to bring about a settlement between the parties in this matter, the Commissioner of Labour referred the case to this office for initiating conciliation proceedings, under Section 10 (3) of the Labour Act.

The case was registered accordingly (C. C. No. 21/44-45). I held conciliation proceedings at Mysore on the 24th and the 25th March 1945. The Labour Association was represented by its President, Mr. T. Mariappa, while Mr. M. R. Sreenivasa Iyengar, General Manager of the Mills, represented the Management. Mr. G. N. Puttanna, Assistant Commissioner of Labour, Mysore Division, was also present.

All the four demands set out above were taken up one

result that the parties did not come to a settlement in respect of the demand No. 1, while a settlement was reached in regard to other demands noted above.

For purposes of this report (under Section 12 (4) of the Act) I shall deal with only the demand No. 1, in respect of which the parties did not come to a settlement.

This demand No. 1, relates to the case of the worker Channabasaviah (Spinning Ticket No. 192) who was dismissed by the Management on 15th November 1944. It is urged by the Association that he has been dismissed without enquiry and that this is a case of wrongful dismissal of the worker by way of victimisation, coming under Section 24 (1) (a) of the Act and that he should be reinstated. The reply of the Management was that this is not a case of victimisation or wrongful dismissal under section 24 (1) (a) but his services were terminated according to Standing Order No. 21 with 13 days' wages in lieu of notice and that he cannot be taken back for work.

The General Manager explained the case by reference to the connected papers. The complaint against this worker was that he left his machine without permission, and was found loitering, and that he refused, when called by the Spinning Master, to come for enquiry, and that his conduct was an act of disobedience and was against discipline. In view of his past misconduct and of his attitude towards the Spinning Master, he was dismissed by the General Manager as per Standing Order No. 21, with 13 days' wages in lieu of notice. As a special case, it was ordered the gratuity fund at his credit might also be paid. The General Manager found it necessary in the interests of discipline to take action for the dismissal of this worker under Section 21 and has ordered 13 days' wages in lieu of notice. It is stated by the General Manager that no separate enquiry is necessary for an order under Standing Order No. 21 and that there was only a discharge of the worker from service.

The Association did not accept the view taken by the Management. The General Manager explained that the action taken in the case was in accordance with the Standing Order No. 21 and that the Management saw no reason to revise the order and reinstate the worker.

The Association pressed this demand, but the Management regretted that the demand could not be accepted. All possible ways of settlement were explored but the parties did not come to a settlement in regard to this demand.

The proceedings in regard to this demand No. 1, thus ended in failure, which I hereby report.

I request that this report may be published in the Gazette, as required under Sub-Section (4) of Section 12 of the Mysore Labour Act.

I have the honour to be,

Sir,

Your most obedient servant,

NAVANEETHAM,

Chief Conciliator.

Dated Bangalore, 3rd April 1945.

**No. S. K. 3778—L. W. 82-44-5.**—Under Section 12 (4) of the Mysore Labour Act XIII of 1942 as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to publish for general information, the accompanying report of the Chief Conciliator in Mysore in the matter of the failure of the Conciliation Proceedings in the dispute between the Labour Association and the Management.



relating to the dismissal of Messrs. Mahomed Hussain, Ramachandra Murthy and Venkata Rao working in the Spinning Department of the Mills and relating to the Profit Bonus Scheme.

MOHAMED ISMAIL SHERIFF, *Gl. Secy.*

OFFICE OF THE CHIEF CONCILIATOR  
IN MYSORE.

No. C. C. 16—44-45.

*Dated Camp Mysore, the 26th March 1945.*

FROM

M. Navaneetham Naidu, Esq., B.A., B.L.,  
Chief Conciliator in Mysore, Bangalore.

TO

Mahomed Ismail Sheriff Esq., B.A.,  
Secretary to the Government of His  
Highness the Maharaja of Mysore;  
General Department, Bangalore.

SIR,

I have the honour to make the following report, under Section 12(4) of the Mysore Labour Act, relating to a dispute between Sri Krishnarajendra Mills Labour Association, Mysore, and the concerned Mills, in regard to the following three demands made by the Association:—

*Demand No. 1.*—Relating to the case of dismissal of Mohammed Hussain who was working in the Spinning Department.

*Demand No. 2.*—Relating to the case of dismissal of Ramachandramurthy and Venkata Rao who were working in the Spinning Department.

*Demand No. 8.*—Relating to Profit Bonus Scheme.

The Vice-President of the Labour Association gave a notice of change to the General Manager of the said Mills on the 16th September 1944, setting forth fifteen demands (as specified in the annexure to the notice). As a result of direct negotiations that took place between the Association and the General Manager on 2nd October 1944 (as per memorandum, dated 4th October 1944, signed by both the parties), nine demands (Nos. 4, 5, 6, 7, 9, 10, 11, 14 and 15) were withdrawn by the Association. The other six demands (Nos. 1, 2, 3, 8, 12 and 13) in which no agreement was reached, were referred by the Labour Commissioner to the Chief Conciliator for initiating Conciliation Proceedings, under Section 10(3) of the Mysore Labour Act.

The case was accordingly registered (as C. C. No. 16 of 44-45), and Conciliation Proceedings were held at Mysore on 29th November 1944, 23rd and 25th March 1945.

The Labour Association was represented by its President, Mr. T. Mariyappa, while Mr. M. B. Srinivasa Iyengar, General Manager of the Mills, represented the Management.

Mr. G. N. Puttanna, Assistant Commissioner of Labour, Mysore Division, was also present.

The six demands (1, 2, 3, 8, 12 and 13) were taken up one by one and were fully discussed on both sides, with the result that the parties did not come to a settlement in respect of the demands Nos. 1, 2 and 8 while the settlement was reached in regard to the other demands (Nos. 3, 12 and 13).

For purposes of this report (under Section 12, (4) of the Act), I shall deal with only the three demands Nos. 1, 2 and 8 in respect of which the parties did not come to a settlement.

*Demand No. 1.*—This relates to the case of the worker, Mohamed Hussain who was working in the Spinning Department (Ticket No. 157) and was dismissed by the Management on 6th July 1944. It is urged by the Association that he has been dismissed without due enquiry and that the dismissal is wrongful. The Management stated that an enquiry was duly held and he was found guilty of gross misconduct and that the case has been dealt with as per settled Standing Orders and that he cannot be reinstated as he has committed offence of a very serious nature.

The General Manager explained the facts of the case by reference to the connected papers. The complaint against this worker was, that he refused to work and assaulted the Assistant Spinning Master (Mr. Jagannath) and behaved in a riotous manner on the 4th July night fourth shift and there was misconduct on his part, under Standing Order (No. 22), meriting dismissal. On the report of the Spinning Master, the General Manager enquired into the case. A notice of enquiry was issued to the worker, and it was served on him on 5th July 1944. In the notice, the charges against the worker were noted and he was called upon to submit his explanation and to appear before the General Manager for enquiry on 6th July 1944. The worker appeared accordingly and the General Manager examined him on the 6th July 1944. From the order of the General Manager,

enquiry, admitted that he (the worker) was asked by Mr. Jagannath, Assistant Spinning Master, to work on single yarn frame and that he (the worker) refused to work on single yarn, lost his temper, and dealt a blow to the Master (Mr. Jagannath). The General Manager has recorded all this in his order and has stated therein:—"Since he admitted the guilt, I did not see the necessity to examine any further evidence. All the same, I asked him if he had anything else to say, for which he replied that when he has been acknowledging the guilt, there is nothing more to be said or heard. I, therefore, come to the conclusion that from his own statement and the written statement of Gurumallayya (the Spinning Clerk who noticed the occurrence), the party is guilty of misconduct under Standing Order 22(b) and (n). I hereby order that he may be dismissed without notice or any compensation in lieu of notice and also with forfeiture of all wages earned by him. As the party was not particular of having a copy of this order, the same has been duly communicated to him in person."

The contention urged by the Association President is in effect thus. The General Manager has not held an enquiry or heard the worker or taken his explanation or the relevant evidence in the presence of the worker. The worker is not guilty of the charges brought against him and he has not admitted them. He did not disobey his immediate superior (Jobber) or refused to work which was his normal work. He did not assault Mr. Jagannath. The fact that the worker is a person with 20 years of service and good record has not been taken into consideration and he has been given the extreme penalty of dismissal. His case may be reconsidered and he may be taken back to service.

The General Manager pointed out that the worker was given a full opportunity of stating his case and giving his explanation and was heard and that he has in fact admitted the charges, and that all points were taken into consideration while passing the order of dismissal and that as it was a case of gross misconduct with assault on an officer, a punishment of dismissal was necessary in the interest of discipline. The General Manager explained that the action taken was fully in accordance with the settled Standing Orders. Finally, the General Manager stated that the Management saw no reason to revise the orders passed in the case or to reinstate him.

The Association pressed the demand but the Management regretted that this demand could not be accepted. So, the parties did not come to a settlement regarding this demand.

*Demand No. 2.*—This demand relates to the case of workers Ramachandra Murthy and Venkata Rao who were dismissed on 13th March 1943 by the Management for misconduct on charges of behaviour of wilful disobedience, defiant attitude towards the General Manager on 3rd March 1943, and their subsequent disregard of the orders of the Spinning Master concerning the leave question immediately the strike was called off. It is urged by the Association that the dismissal of these two workers is wrongful and contrary to the rules and that they should be reinstated. The reply of the Management was that this matter was enquired into and disposed of as per settled Standing Orders and has also been enquired into by the Assistant Commissioner of Labour and that this is not a fit case for the notice of change now. This demand has been included with the others for conciliation proceedings as per reference of the Labour Commissioner dated 27th October 1944. Subsequently, the Labour Commissioner sent letter dated 13th November 1944 stating that conciliation Proceedings need not be held in respect of this demand as Government had already issued an endorsement dated 15th December 1943 to the Association to the effect that the notice regarding the reinstatement of the two dismissed workers is invalid. In view of this, the question of the validity of notice of change in respect of this demand was considered during the Proceedings. The President of the Association argued that the said order of Government was not binding on the parties under the Labour Act and that under Section 10(3) of the Act the Commissioner of Labour should, in case of agreement not being reached between the parties within 15 days after receipt of the notice of change report to the Chief Conciliator for initiating Conciliation Proceedings under the Act, and that, after the Labour Commissioner referred the case for Conciliation Proceedings, he cannot withdraw the demand from the Conciliation Proceedings. After consideration, this demand having already been referred for Conciliation Proceedings, was taken up for discussion.

It is urged by the Association President that the Management has dismissed these two workers without enquiry, that they have not been heard nor was the relevant evidence taken and that the charge against them of disobedience of orders is not correct as they had applied for leave through the Association.



and that this is a case of victimisation by the Management. The General Manager replied that it was not at all so. He explained the case by reference to the connected papers and stated that he had given these workers a fair chance for giving their explanation and heard them jointly and that they refused to give any explanation or their statement and that he has taken the relevant evidence in the case and that all these things are noted in his order passed on the case. As these two workers were found not fit to continue in the service of the Company, their dismissal was called for and was ordered as per settled Standing Order No. 21. He added that it is not correct to say that the workers had the implied permission of the Spinning Master, who only said "If you go, you will be acting at your own risk." The Association President stated that Standing Order No. 21 does not apply to this case as it was not a case of misconduct and the Standing Order No. 23 could be invoked and that these workers may be reinstated. The General Manager pointed out that he considered all these points as noted in his order and that their dismissal was called for in the case, but, at the same time, he has ordered that the wages due to them may be paid. Finally, the General Manager said that the Management saw no reason to reconsider the case or reinstate these two workers.

The Association pressed the demand but the Management regretted that this demand could not be accepted. So, the parties did not come to a settlement on this demand.

**Demand No. 8.**—This demand is that a profit bonus scheme should be prepared and each worker given a bonus of one month's wages and that profit bonus is to be given for the year 1943-44 also. On the reply of the General Manager, during the negotiation, that a Profit Bonus Scheme would be announced shortly, the Association agreed to withdraw this demand. The Management announced a profit bonus scheme dated 11th October 1944 for the grant of half yearly bonus to the employees, dependant on the profits to be earned by the Company, subject to the following conditions among others (set out therein):—

(a) The cash bonus payable every half year would be at the same rate per cent on the wages earned during the half year as that of the dividend that may be declared each half year on the Company's shares, subject, however to the condition that the maximum limit of bonus to be paid for one whole year will not exceed 10 per cent of the wages earned during the year.

(b) The bonus will be paid only to the permanent employees.

(c) In order to earn the bonus, every employee must have put in 135 days attendance during the half year. Absence of Privilege Leave will be counted as attendance.

(d) The scheme will come into force from 1st July 1944.

The Association not being satisfied with the scheme, did not withdraw this demand but asked for the following changes by a further notice of change which was referred to this office by the Labour Commissioner in continuation for Conciliation Proceedings. Hence, the present Conciliation Proceedings in regard to the following changes concerning this demand:—

(a) Every employee should get for each year a bonus equal to one month's wages or one-tenth of the wages earned by him during the year.

(b) All the Mill employees, both permanent and temporary should be paid the bonus.

(c) The restriction of 135 days attendance during the half year should be removed and bonus should be paid for as many days as the employee has worked during the year.

(d) The bonus should be paid for 1943-44 also.

It is urged by the Association that the profit bonus scheme announced by the Management does not help the workers materially or appreciably and that the above changes are necessary and that, in particular, the restriction of 135 days attendance should be removed and that the terms may be liberalised and the scheme obtaining in the Bangalore Binny Mills may be adopted. The General Manager explained the details of the scheme as also the basis and the working sheet for fixing the 135 days attendance and stated that the scheme in the Binny Mills was introduced in the pre-war days and cannot be adopted under the present circumstances and that the reduction of 135 days of attendance would affect production and is not possible. He added that the scheme had been prepared after full consideration of all the aspects and would not act as a hardship and would bring about better attendance, efficiency and production and that a large percentage of workers would be benefited. The Association asked that the attendance days may be reduced from 135 to at least 100 or 105 days and that the bonus may be paid on the same lines

that it was not possible and that the War bonus was only temporary while the profit bonus would be a permanent scheme.

After much discussion, the General Manager said that, as a special concession for the half year ending 31st December 1944, all permanent workers who have put in 112 days attendance during the period from 1st August 1944 to 31st December 1944 would be taken as eligible for the profit bonus and that this is only as a special consideration for the half year ending 31st December 1944 since there was partial working during July 1944 on account of the restricted electric power supply. The Association consider that this offer is inadequate, and regret that it cannot be accepted.

The Association press the demand but the General Manager says that it cannot be conceded. Hence, the parties did not come to a settlement in respect of this demand.

All possible ways of settlement were explored but the parties did not come to a settlement in regard to these three demands (Nos. 1, 2 and 9).

The Proceedings in regard to these three demands thus ended in failure, which I hereby report.

I request that this report may be published in the Gazette, as required under sub-section (4) of Section 12 of the Mysore Labour Act.

I have the honour to be,

Sir,

Your most obedient servant,

NAVANEETHAM,

Chief Conciliator in Mysore.

#### LAW SECRETARIAT

Dated 3rd April 1945.

**No. 6672—Cts. 48-44-2.** The Government of His Highness the Maharaja of Mysore are pleased to direct that any person who desires to acquire a domicile in Mysore as provided by Section 11 of the Indian Succession Act, 1865 (X of 1865), as applied to Mysore, may deposit the required declaration in the Office of the District Magistrate, in whose jurisdiction the person concerned resides.

The District Magistrate shall transmit such declarations to the Legal Remembrancer and Secretary to Government, Law Department.

This notification cancels Government Notification No. P. 6306—Cts. 48-44-1, dated 14th March 1945.

7963

C. NARAYANASWAMI NAIDU, Law Secy.

Dated 2nd April 1945.

#### CALENDAR OF EVENTS.

**No. R. L. 5197—R.A. 108-44-2.** The calendar of events relating to the bye-elections to the Legislative Council and the Representative Assembly in the following constituencies specified in the schedule is hereby published for general information:—

Sl. No.	Name of constituency	Number of seats
<b>Legislative Council.</b>		
1.	Shimoga District	2
<b>Representative Assembly.</b>		
Urban—		
2.	Davanagere	1
Rural—		
3.	Channarayana Taluk	1
4.	Arkalgud	2
5.	Hassan Rural	1
6.	Chikmagalur	1 (Depressed class seat only).
7.	Narasimharajapura Sub-Taluk	1
8.	Pavagada Taluk	1 (Depressed class seat only).

The attention of the Deputy Commissioners of Districts concerned and other Returning Officers is hereby invited to the several events specified herein and the dates fixed for the same and they are requested to take necessary steps to carry out the programme and keep within the time limit prescribed for the several events:—

#### Bye-elections, 1945.

(1) Presentation of the notice of candidature in the Office of the Returning Officer.	Saturday, the 14th April 1945 (before 3 P.M.)
(2) Scrutiny of notice of candidature.	Monday, the 16th April 1945
(3) Withdrawal of notice of candidature.	Tuesday, the 17th April 1945 (before 3 P.M.)
(4) Publication of the list of candidates with symbols, if any, in the Office of the Returning Officers.	Tuesday, the 17th April 1945 (before 6 P.M.)
(5) Poll	Sunday, the 6th May 1945
(6) Report of the result of election to Government.	Saturday, the 12th May 1945
(7) Publication of the result of election in the Gazette.	Thursday, the 17th May 1945